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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,538	09/12/2003	Tsutomu Ohishi	242738US2	5339
22850	7590	01/16/2008	EXAMINER	
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			RODRIGUEZ, LENNIN R	
		ART UNIT	PAPER NUMBER	
		2625		
		NOTIFICATION DATE	DELIVERY MODE	
		01/16/2008	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/660,538	OHISHI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Lennin R. Rodriguez	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 12 September 2003.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-28 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 12 September 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____  |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :12/12/2003, 2/4/2004, 10/26/2004, 11/4/2004, 1/13/2006, 6/9/2006 and 10/30/2006.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

- (1) "165" and "174" in Fig. 3;
- (2) "S903" in Fig. 10.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to because in Fig. 11 "307" should be "305". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version

of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

- (1) page 17, lines 10 and 24, "100";
- (2) page 42, lines 5, 7 and 24 and page 43, line 4, "220".

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the

changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

4. The disclosure is objected to because of the following informalities:
  - (1) page 18, line 23, "print screen 201" should be -- print screen 201 (**Fig. 8B**) --;
  - (2) page 18, line 24, "setting screen 202" should be -- setting screen 202 (**Fig. 7**) --;
  - (3) page 28, line 6, "request message." should be – request message **in step S903** --;
  - (4) page 42, line 6, "part **160**" should be – part **1601** –.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 101***

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.
6. Claim 27 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. A "computer program" is being recited; however a "computer program" as presented in the claims is directed to software per se. This subject matter is not limited to that which falls within a statutory category of

invention because it is limited to a process, machine, manufacture, or a composition of matter. Software is a function descriptive material and a function descriptive material is non-statutory subject matter.

***Claim Rejections - 35 USC § 103***

7. Claims 1-6, 8, 13-19, 21 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohara (US 7,136,179) in view of Whitmarsh (US 2002/0101608).

(1) regarding claims 1, 14, 27 and 28:

Ohara '179 discloses an image forming apparatus (100 in Fig. 1) comprising: an information providing part for providing, to a client terminal, screen data for selecting one or more image forming apparatuses among from a plurality of image forming apparatuses (column 5, lines 36-39); and

a print request part for distributing print data (column 5, lines 46-51) and a print request to the selected one or more image forming apparatuses (column 5, lines 44-46).

Ohara '179 discloses all the subject matter as described above except that the apparatuses are connected to a network.

However, Whitmarsh '608 teaches that the apparatuses are connected to a network (paragraph [0021], where the printers are connected through a network to the system).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the apparatuses are connected to a network as taught by Whitmarsh '608 in the system of Ohara '179. With this the system can reach and control

devices that are connected apart from the forming apparatus itself, thus making the system increase the modularity and accessibility.

(2) regarding claims 2 and 15:

Ohara '179 further discloses wherein the information providing part sends screen data for inputting a print instruction to the client terminal (column 4, lines 37-38, where the input portion is provided by the manager server); and

the print request part distributes the print data (column 5, lines 46-51) and the print request when receiving the print instruction from the client terminal column 5, lines 44-46).

(3) regarding claims 3 and 16:

Ohara '179 further discloses wherein the information providing part sends screen data used for uploading the print data to the client terminal (column 4, lines 37-38, where the input portion is provided by the manager server); and

the image forming apparatus receives the print data when the print data is uploaded from the client terminal (column 4, lines 21-25, where the data is uploaded and the apparatus receives it).

(4) regarding claims 4 and 17:

Ohara '179 discloses all the subject matter as described above except wherein the screen data is displayed by a Web browser in the client terminal.

However, Whitmarsh '608 teaches wherein the screen data is displayed by a Web browser in the client terminal (paragraph [0004], lines 15-19).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made wherein the screen data is displayed by a Web browser in the client terminal as taught by Whitmarsh '608 in the system of Ohara '179. With this the system can reach and control devices that are connected apart from the forming apparatus itself, thus making the system increase the modularity and accessibility.

(5) regarding claims 5 and 18:

Ohara '179 further discloses wherein the screen data includes data for displaying a plurality of image forming apparatuses (column 5, lines 36-39) and corresponding places for each of the image forming apparatuses (column 2, lines 49-52, where the specifications of the desires printers is being interpreted as containing place information).

(6) regarding claims 6 and 19:

Ohara '179 further discloses wherein the screen data includes data for displaying a plurality of image forming apparatuses (column 5, lines 36-39) and corresponding functions for each of the image forming apparatuses (column 4, lines 42-48).

(7) regarding claims 8 and 21:

Ohara '179 further discloses wherein the print instruction includes an instruction for designating functions to be used for printing the print data (column 6, lines 8-14, where functions such as duplex can be designated), and

the print request part selects one or more image forming apparatuses that includes the designated functions from among the selected one or more image forming apparatuses (column 4, lines 49-54), and distributes the print data and the print request

to the one or more image forming apparatuses that includes the designated functions (column 5, lines 46-51).

(8) regarding claims 13 and 26:

Ohara '179 further discloses the image forming apparatus further comprising hardware resources used for image forming processes (Fig. 1, where it has a variety of hardware components), and control services that perform processes of the system side including control of the hardware resources according to a request from an application executed in the image forming apparatus (1 in Fig. 1),

wherein the image forming apparatus is configured to be able to install a plurality of applications separately from the control services (column 4, lines 12-14, where scanners and clients applications can be installed), and the image forming apparatus includes the information providing part and the print request part as an application (column 4, lines 26-27).

8. Claims 7 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohara (US 7,136,179) and Whitmarsh (US 2002/0101608) as applied to claims above, and further in view of Kato (US 6,141,111).

(1) regarding claims 7 and 20:

Ohara '179 further discloses wherein the print request part distributes the print data and the print request by referring to the information stored in the storing part (column 5, lines 46-51).

Ohara '179 and Whitmarsh '608 disclose all the subject matter as described above except the image forming apparatus further comprising a storing part for storing

information including addresses of the selected one or more image forming apparatuses.

However, Kato '111 teaches the image forming apparatus further comprising a storing part for storing information including addresses of the selected one or more image forming apparatuses (column 4, lines 36-43, where the network address of the apparatuses are being stored).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the image forming apparatus further comprising a storing part for storing information including addresses of the selected one or more image forming apparatuses as taught by Kato '111 in the system of Ohara '179 and Whitmarsh '608. With this the system has absolute knowledge of which address to use when trying to control the devices that are connected apart from the forming apparatus itself, thus making the system increase the reliability.

(2) regarding claims 11 and 24:

Ohara '179 further discloses wherein the print request part distributes the print data and the print request by referring to the information stored in the storing part (column 5, lines 46-51).

Ohara '179 and Whitmarsh '608 disclose all the subject matter as described above except using addresses to distribute the print data and the image forming apparatus further comprising an address obtaining part for obtaining addresses of image forming apparatuses connected to a network.

However, Kato '111 teaches the image forming apparatus further comprising an address obtaining part for obtaining addresses of image forming apparatuses connected to a network (column 4, lines 36-43, where the network address of the apparatuses are being stored) and using addresses to distribute the print data (column 4, lines 36-43, where the network addresses are required for selecting destinations).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the image forming apparatus further comprising a storing part for storing information including addresses of the selected one or more image forming apparatuses as taught by Kato '111 in the system of Ohara '179 and Whitmarsh '608. With this the system has absolute knowledge of which address to use when trying to control the devices that are connected apart from the forming apparatus itself, thus making the system increase the reliability.

9. Claims 9-10 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohara (US 7,136,179) and Whitmarsh (US 2002/0101608) as applied to claims above, and further in view of Shima (JP 2001209503 A, machine translation its being used for the citations).

(1) regarding claims 9 and 22:

Ohara '179 and Whitmarsh '608 disclose all the subject matter as described above except wherein the print request part requests a printing part of the image forming apparatus itself to print the print data.

However, Shima '503 teaches wherein the print request part requests a printing part of the image forming apparatus itself to print the print data (paragraph [0009], where with the loop back address the system is able to perform this function).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made wherein the print request part requests a printing part of the image forming apparatus itself to print the print data as taught by Shima '503, in the system of Ohara '179 and Whitmarsh '608. With this the development cost are reduced by dispensing with the development of an interface relying on each printing server (English abstract).

(2) regarding claims 10 and 23:

Ohara '179 and Whitmarsh '608 disclose all the subject matter as described above except wherein the print request part requests the printing part of the image forming apparatus itself to print the print data by using a loop back address.

However, Shima '503 teaches wherein the print request part requests the printing part of the image forming apparatus itself to print the print data by using a loop back address (paragraph [0009], where with the loop back address the system is able to perform this function).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made wherein the print request part requests the printing part of the image forming apparatus itself to print the print data by using a loop back address as taught by Shima '503, in the system of Ohara '179 and Whitmarsh '608. With this the

development cost are reduced by dispensing with the development of an interface relying on each printing server (English abstract).

10. Claims 12 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohara (US 7,136,179) and Whitmarsh (US 2002/0101608) as applied to claims above, and further in view of Aoyagi et al. (US 2002/0032761).

Ohara '179 and Whitmarsh '608 disclose all the subject matter as described above except wherein the address obtaining part obtains the addresses from MIBs by using SNMP.

However, Aoyagi '761 teaches wherein the address obtaining part obtains the addresses from MIBs by using SNMP (paragraph [0393]).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made wherein the address obtaining part obtains the addresses from MIBs by using SNMP as taught by Aoyagi '761, in the system of Ohara '179 and Whitmarsh '608. This allows for displaying a network configuration chart that allows easy understanding of port-by-port connections of network devices and the like (paragraph [0013]).

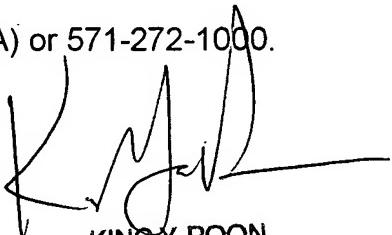
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lennin R. Rodriguez whose telephone number is (571) 270-1678. The examiner can normally be reached on Monday - Thursday 7:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lennin Rodriguez  
12/10/07



KING Y. POON  
SUPERVISORY PATENT EXAMINER